

EXHIBIT "D"

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September 28, 2011

Mary Dickman, Esq.
United States Attorney's Office
271 Cadmen Plaza East
Brooklyn, New York 11201

Re: Alfred Palagonia
Case No.: 03-2908
Our File No.: 5332.000/3668

Dear Ms. Dickman:

This letter will confirm our conversation of September 22, 2011. You advised that you would get back within two (2) weeks with respect to the Government's position on our victim restitution. We provided a copy of the Statement of Claim with respect to an underlying arbitration award concerning certain securities which we believe were part of the indictment. I advised that we believe U.S. Bridge of New York with a loss of \$367,914.15 and Holly Products, Inc. with a loss of \$145,605.75 are appropriate losses for which we may submit a claim for restitution.

Based on our conversation it is my understanding that \$250,000.00 has previously been paid by Mr. Palagonia, with monthly payments thereafter. I am unaware of any other victims that have provided proof of loss.

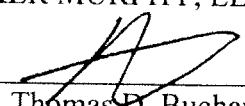
Based upon the foregoing, we intend to file a Motion with Judge Glaser in two weeks. Accordingly, please advise as to your position by October 6, 2011. After that, we will be constrained to file a Motion with the Court.

Thank you for your consideration.

Very truly yours,

HACKER MURPHY, LLP

By: _____


Thomas D. Buchanan
tbuchanan@hackermurphy.com

TDB:cln

cc: Mark A. Tepper, P.A.

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October 6, 2011

Mary Dickman, Esq.
United States Attorney's Office
271 Cadmen Plaza East
Brooklyn, New York 11201

Re: Alfred Palagonia
Case No.: 03-2908
Our File No.: 5332.000/3668

Dear Ms. Dickman:


I am enclosing for your file a copy of the Indictment, which I have recently received. You have a copy of the Notice of Claim of my client. As I indicated earlier, a comparison of the indictment with the Notice of Claim will disclose two stocks for which my client was a victim, U.S. Bridge of New York and Holly Products, Inc.

I am also enclosing a draft of the Motion which we will be filing with Judge Glasser next week. I would appreciate your consideration of the Government's position this week. Otherwise, I will be constrained to file the enclosed Motion with the Court. I do appreciate your cooperation and courtesies.

I look forward to hearing from you.

Very truly yours,

HACKER MURPHY, LLP

By: 
Thomas D. Buchanan
tbuchanan@hackermurphy.com

TDB:cln
Enclosures

cc: Mark A. Tepper, P.A. (w/o encs.)